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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Ali Saleh,

Plaintiff,

v.

Eaconomy LLC, a Delaware limited liability
company; Hassan Mahmoud, an individual;
Does 1 to 10, inclusive,

Defendants.

AND ALL RELATED CLAIMS.

Case No.: 2:23-CV-00843-RFB-MDC

**RENEWED MOTION TO WITHDRAW
AS COUNSEL OF RECORD FOR
PLAINTIFF ALI SALEH**

John E. Bragonje, Esq. of the law firm of Lewis Roca Rothgerber Christie, LLP hereby files this Renewed Motion to Withdraw as Counsel of Record for Plaintiff, Ali Saleh. This Motion is made and based upon the attached Points and Authorities.

MEMORANDUM OF POINTS & AUTHORITIES

As set forth in the attached affidavit in support of this motion,

1. John E. Bragonje, Esq. has been counsel to Plaintiff in the instant lawsuit.
2. The Plaintiff engaged the services of John Bragonje and Lewis Roca Rothgerber Christie LLP as counsel in the above-captioned matter in approximately May, 2023. Since that time, Lewis Roca Rothgerber Christie LLP and John E. Bragonje have provided valuable services to the Plaintiff.

3. The Nevada Rules of Professional Responsibility permit an attorney to withdraw if, among other things,

(5) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled; [or]

(6) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client;

Nev. R. Prof'l Conduct 1.16(b)(5) and (b)(6) (2021).

4. The Plaintiff has failed to pay for legal services performed by John E. Bragonje and Lewis Roca Rothgerber Christie, LLP as agreed when the representations began. The Plaintiff's failure to pay for legal services constitutes a failure by him to substantially fulfill an obligation regarding the services provided. Over the past several months, the client was advised that payment needed to be made to avoid an interruption in services.

5. In addition, withdrawal is appropriate where "[o]ther good cause for withdrawal exists." Nev. R. Prof'l Conduct 1.16(b)(7). In this case, good cause exists because Plaintiff has, for reasons unknown, ceased to communicate with the undersigned. Plaintiff may be ill or unable to respond.

6. Finally, Local Rule IA 11-6(e) provides that "[e]xcept for good cause shown, no withdrawal or substitution will be approved if it will result in delay of discovery, the trial, or any hearing in the case." Here, no delay will result. The Court's discovery order permits discovery to continue through August 5, 2024. (ECF No. 28.) All of the other discovery-period deadlines (amending pleadings: May 7, 2024; expert disclosure, May 7, 2024) remain open. (*Id.*) The undersigned has conferred with counsel for the Defendants, and it is agreed that sufficient time remains for discovery. Because discovery will not be delayed, trial will likewise no be delayed.

Plaintiff's last-known contact information is as follows:

Ali Mustafa Saleh
121 Burnham Road
Morris Plains, NJ 07950

Telephone: (973) 264-7340

Email: saleh.ali89@gmail.com;

For the foregoing reasons, it is requested that the motion to withdraw be granted.

DATED this 5th day of February, 2024.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ John Bragonje

John Bragonje, Bar No. 9519

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Tel: 702.949.8200

Attorneys for Plaintiff

**DECLARATION OF JOHN E. BRAGONJE, ESQ. IN
SUPPORT OF MOTION TO WITHDRAW AS COUNSEL OF RECORD**

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

JOHN E. BRAGONJE, ESQ., being first duly sworn, deposes and declares as follows:

1. I am over the age of 18 and am competent and willing to testify regarding the matters asserted herein, which are based on my own personal knowledge, unless stated upon information and belief, as to which statements I am informed and believe to be true.

2. I am an attorney licensed to practice law in all courts within the State of Nevada, and I practice with Lewis Roca Rothgerber Christie LLP. I have been counsel to the Plaintiff in the instant lawsuit.

3. The Plaintiff engaged the services of Lewis Roca Rothgerber Christie LLP as counsel in the above-captioned matter in approximately May, 2023. Since that time, Lewis Roca Rothgerber Christie LLP and John E. Bragonje have provided valuable services to the Plaintiff.

4. The Plaintiff has failed to pay for legal services performed by John E. Bragonje and Lewis Roca Rothgerber Christie, LLP as agreed when the representations began. The Plaintiff's failure to pay for legal services constitutes a failure by him to substantially fulfill an obligation regarding the services provided. Over the past several months, the client was advised that payment

needed to be made to avoid an interruption in services.

5. In this case, good cause exists because Plaintiff has, for reasons unknown, not paid outstanding invoices continuing the representation will result in an unreasonable financial burden.

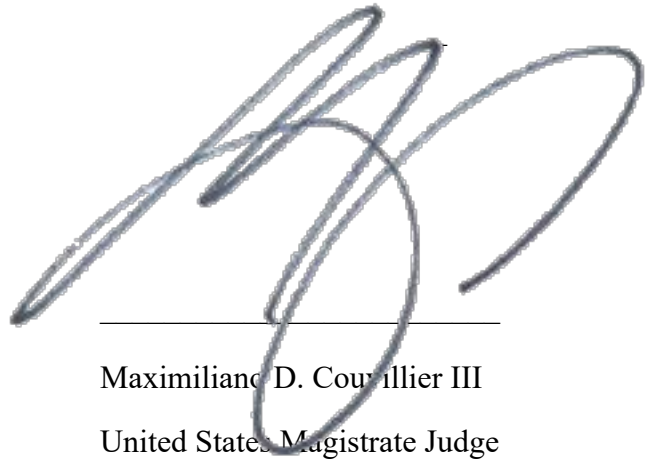
6. I do not anticipate any opposition.

7. Further your declarant saith naught.


JOHN E. BRAGONI, ESQ.

It is so ordered. No opposition has been filed by the client and the time to do so has passed. The Court grants the motion.

DATED this 21st day of February 2024.


Maximiliano D. Courillier III
United States Magistrate Judge